

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PHILIPS NORTH AMERICA, LLC,  
et al.,

Plaintiffs,

v.

SUMMIT IMAGING, INC., et al.,

Defendants.

CASE NO. C19-1745JLR

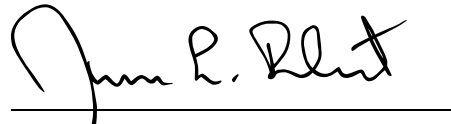
ORDER GRANTING MOTION  
FOR LEAVE TO FILE  
SURREPLY

This matter comes before the court on Defendants Summit Imaging, Inc., and Lawrence R. Nguyen's (collectively, "Summit") motion for leave to file a surreply. (Mot. (Dkt. # 55).) Summit requests leave to file a three-page surreply for the sole purpose of responding to Plaintiffs Philips North America, LLC, Koninklijke Philips N.V., and Philips India, Ltd.'s (collectively, "Philips") arguments based on *Federal Trade Commission v. Qualcomm, Inc.*, 969 F.3d 974 (9th Cir. 2020) ("*Qualcomm*"). (Mot. at 2; *see* Reply (Dkt. # 54) at 4 (quoting *Qualcomm*, 969 F.3d at 993, 995).)

1 Because *Qualcomm* was issued the day after Summit filed its opposition to Philips's  
2 motion, Summit did not have the opportunity to address that case in its opposition. (*See*  
3 Mot. at 2; *see also* Resp. (Dkt. #53).) Philips has not opposed Summit's motion for leave  
4 to file a surreply. (*See generally* Dkt.)

5 Having considered the motion, the relevant portions of the record, and the  
6 applicable law, the court GRANTS Summit's motion for leave to file a surreply (Dkt. #  
7 55). Summit shall file a surreply of no more than three pages in length by no later than  
8 November 5, 2020. Summit's surreply shall be strictly limited to responding to Philips's  
9 arguments regarding the applicability of *Qualcomm* to Summit's antitrust counter-claim  
10 based on Philips's alleged refusal to deal. (*See* Dkt. # 54 at 4.)

11 Dated this 30th day of October, 2020.

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14 JAMES L. ROBART  
15 United States District Judge  
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